

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ERIC DAYTON DEROUEN,)	Case No. C 14-1080 LHK (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	
v.)	
)	
DR. CLARENE DAVID, et al.,)	
)	
Defendants.)	
)	
)	

On March 7, 2014, plaintiff, proceeding *pro se*, filed a federal civil rights complaint pursuant to 42 U.S.C. § 1983.¹ The same day, the clerk notified plaintiff that he had not paid the filing fee, nor had he filed an application to proceed in forma pauperis (“IFP”). Along with the deficiency notice, plaintiff was provided with an IFP application and instructions for completing it. Plaintiff was further cautioned that his failure to either file a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action. On March 27, 2014, plaintiff filed a letter in which he stated that the filing fee would be paid in full because plaintiff was to be released prior to the deadline. More than twenty-eight days have passed and

¹ This action was reassigned to this court on April 2, 2014, after plaintiff failed to consent to magistrate judge jurisdiction. (Docket No. 5.)

1 plaintiff has not paid his filing fee, filed a completed IFP application, or made any further
2 contact with the court.

3 Thus, the instant action is DISMISSED without prejudice. The clerk shall terminate all
4 pending motions, enter judgment, and close the file.

5 IT IS SO ORDERED.

6 DATED: 4/16/14



LUCY H. KOH
United States District Judge